

VIRGINIA: A REGULAR MEETING OF THE SURRY COUNTY BOARD OF SUPERVISORS
HELD IN THE GENERAL DISTRICT COURTROOM OF THE COUNTY
GOVERNMENT CENTER ON NOVEMBER 1, 2012 AT 7:00P.M.

PRESENT: SUPERVISOR JUDY S. LYTTLE, CHAIRPERSON
SUPERVISOR JOHN M. SEWARD, VICE-CHAIR
SUPERVISOR ERNEST L. BLOUNT
SUPERVISOR KENNETH R. HOLMES
SUPERVISOR GIRON R. WOODEN, SR.

ALSO

PRESENT: MR. TYRONE W. FRANKLIN, COUNTY ADMINISTRATOR
MR. WILLIAM HEFTY, COUNTY ATTORNEY
MR. BRENDAN HEFTY, HEFTY AND WILEY, COUNTY ATTORNEY
MS. RHONDA R. MACK, DIRECTOR OF PLANNING
MR. STACEY WILLIAMS, BUILDING OFFICIAL
MRS. SOPHENIA PIERCE, DIRECTOR OF OFFICE ON YOUTH
MRS. MARY H. SHAW, TREASURER
MR. ERVIN JONES, DIRECTOR, PARKS & RECREATION
SERGEANT MICHAEL BAILEY, SHERIFF'S DEPARTMENT
MRS. TAMARA ARTHUR, EMERGENCY SERVICES COORDINATOR
MRS. VALERIE PIERCE, DIRECTOR, DEPARTMENT OF SOCIAL SERVICES

CALL TO ORDER/MOMENT OF SILENCE/PLEDGE OF ALLEGIANCE

The meeting was called to order by Chairperson Lyttle who then asked for a moment of silence. Following the moment of silence, she asked those present to stand and say the pledge of allegiance.

CONSENT ITEMS

1. Approval of October 4, 2012 Minutes, Board of Supervisors
2. Approval of November 2012 Accounts Payable:

	Accounts Payable	Additional	Total
General Fund	\$37,872.89	\$194,226.14	\$232,099.03
Debt Service	\$0.00	\$0.00	\$0.00
Capital	\$0.00	\$34,036.52	\$34,036.52
Water & Sewer	\$2,293.14	\$13,304.77	\$15,597.91
CSA	\$0.00	\$9,681.25	\$9,681.25
Indoor Plumbing	\$0.00	\$0.00	\$0.00
Totals	\$40,166.03	\$251,248.68	\$291,414.71

3. Appropriation Requests:

School System - November 2012	Instruction	\$800,000.00
	Admin./Health	\$75,000.00
	Pupil Transp.	\$65,000.00
	Operation/Maint.	\$100,000.00
	Food Serv.	\$40,000.00
	Debt Service	\$33,500.00
	Capital Projects	\$0.00
	Technology	\$65,000.00
	Total	\$1,178,500.00
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Dept. of Social Serv. - November 2012	\$150,000.00	

Prior to the vote, Supervisor Wooden stated, as required by Section 2.2-3115(I) of the Code of Virginia, that he is a teacher employed by the School Board, that he is therefore a member of a group affected by the vote on the school appropriation, and that he is able to participate in the vote on the school appropriation fairly, objectively and in the public interest.

Supervisor Seward made a motion that the Board approve the Consent Items as enumerated; Supervisor Blount seconded the motion. Supervisors Lyttle, Blount, Wooden, Seward and Holmes voted affirmatively to approve the motion.

PROGRESS REPORTS

1. VDOT

A. VDOT Quarterly Transportation Report

Mr. Rossie Carroll, Williamsburg Residency Administrator for the Virginia Department of Transportation (VDOT) addressed the Board to provide a Quarterly Transportation Report. He began by introducing Mr. Ken Shannon, Assistant Administrator of the Williamsburg Residency, who just joined the organization in October. Mr. Carroll then reported on VDOT's maintenance accomplishments over the last quarter including drainage repairs, seasonal mowing, sight distance mowing, shoulder maintenance, pavement patching, right-of-way clearing, and guardrail repair – a total of 60 work orders. There are two work orders outstanding with regard to drainage issues. He reported that all right-of-way agreements for the Lebanon Road project have been secured and that the project was on target to advertise for construction in 2013 as planned.

Mr. Carroll went on to report on specific projects as well as VDOT's response to Hurricane Sandy in Surry County, stating that only a few

sections of roadway had been closed during the weather event on White Marsh Road and Highgate Road. He also reported on preparations for snow removal and road conditions/locations which are being monitored for ongoing problems.

Chairman Lyttle stated that a constituent on Burnt Mill Road had a concern about mowing to which Mr. Carroll responded that Surry County was on a 3 cycle mowing schedule and he would check to see if the third cycle had been completed in that area.

B. Deed of Easement

Mr. Franklin informed the Board that VDOT had requested a Deed of Easement to construct, operate and maintain drainage facilities along Route 10 in the vicinity of the Surry Health Department and Surry Medical Center.

Supervisor Holmes made a motion that the Board authorize the execution of the Deed of Easement as requested by VDOT. Supervisor Seward seconded the motion; all present voted affirmatively.

C. Resolution 2012-24 In Opposition to the Installation of Toll Collection Facilities on Interstate 95 in Sussex County

Mr. Franklin asked the Board to amend the agenda at this time to discuss a matter which had been listed under Unfinished Business as it was of concern to VDOT as well. Mr. Franklin reminded the Board that they had taken action at their October 4, 2012 meeting to authorize a resolution in opposition to the installation of toll collection facilities in Interstate 95 in Sussex County. Resolution 2012-24 was presented for Board consideration.

Supervisor Seward made a motion that the Board authorize Resolution 2012-24 opposing tolling facilities on I-95 as stated. The motion was seconded by Supervisor Wooden and passed with unanimous support.

2. Treasurer

A. Investment Letter

Mrs. Mary H. Shaw, Treasurer presented her Investment Letter which stated that as of October 4, 2012 the County had \$7,318,792.30 in the LGIP Fund. Since that report, accrued interest for September 2012 in the amount of \$1,240.23 had increased that balance to \$7,320,032.53. Since the October 4, 2012 report, a total of \$1,000,000.00 was transferred from the LGIP account to the General Fund, leaving a balance of \$6,320,023.53 in the Local Government Investment Pool. As of November 1, 2012 the county had \$6,824,915.70 in total

investments, including one CD valued at \$504,892.17 which matures January 18, 2013.

3. County Administration

A. Presentation: Southside Regional Medical Center

Mr. Franklin introduced Ms. Terry Tysinger, Director of Marketing and Public Relations at Southside Regional Medical Center (SRMC) who was present to address the Board in the absence of Mr. Mike Yungmann, CEO of SRMC. Ms. Tysinger reported that SRMC is the largest hospital in the Crater Health District and serves the cities and counties of Dinwiddie, Emporia, Greensville, Hopewell, Petersburg, Prince George, Surry and Sussex. There are no open heart surgery services available in this health district. SRMC has filed a Certificate of Public Need (COPN) application to add open heart services so that area residents can have access to these lifesaving services in closer proximity. Open heart services located at SRMC would result in reduced travel times for critically ill patients and their families, reduced costs (travel, lodging, meals) for visiting family and friends of inpatients and increased lifesaving ability in critical cases. Ms. Tysinger reported that this was the hospital's third application for such services.

The result of the previous COPN application process was approval at all three stages of the process, but with final denial by the Commissioner who cited the possible negative effect the addition of such services may have on existing programs in the Richmond area. With this current COPN application, the hospital is seeking letters and/or resolutions of support from its service community leaders. Localities of Petersburg, Greensville, Emporia, Prince George and Colonial Heights, along with representatives of these communities at the state level have all taken action in support of the SRMC application. Ms. Tysinger also informed that when the hospital relocated in 2008 into their new facility they had the vision of adding open heart surgery services and, therefore, built operating rooms large enough so that there would be no need to retrofit them for such future use.

Following a brief period of discussion, Supervisor Seward made a motion that the Board authorize the County Administrator to draft and execute a resolution in support of the hospital's COPN application. The motion was seconded by Supervisor Blount and met with unanimous approval.

B. Presentation: Port of Virginia

Ms. Nancy Rodrigues, contractor for economic development, addressed the Board with information regarding an invitation by Ms.

Stephanie Allman, Economic Development Manager of the Virginia Port Authority, to the Board to receive a comprehensive overview of the Ports. A tour is tentatively scheduled for November 28, 2012, from 8:15am to 4:00pm. Additionally, visits to the Virginia Regional Commerce Park in Suffolk and the Shirley T. Holland Intermodal Park in Windsor have been arranged so that Board members can see how Suffolk and Isle of Wight elected officials have responded to similar tours.

Board members were asked to consider continuation of the present meeting to November 28th. ***(A copy of Ms. Rodrigues' presentation is attached as an integral component of these minutes.)***

C. Resolution 2012-23, Declaration of Local Emergency

Mr. Tyrone Franklin presented the Board with Resolution 2012-23 for their consideration. The resolution would confirm the declaration made on October 27, 2012 by Mr. John M. Seward, Surry County Director of Emergency Management, establishing a local emergency due to the approach of Hurricane Sandy that affected the County and its residents

Supervisor Wooden made a motion that the Board adopt Resolution 2012-23 confirming the October 27, 2012 declaration of a local emergency and terminating the event affective November 1, 2012. Supervisor Holmes seconded the motion; Supervisors Lyttle, Blount, Holmes, Seward and Wooden voted in favor of the motion. Mr. Franklin publicly recognized members of the Emergency Services team who were present at the meeting and commended staff for their action to prepare for the storm and ensure the safety of county residents. He also introduced Mrs. Tamara Arthur as the newly hired Surry County Emergency Services Coordinator.

D. Presentation: Stormwater Management

Ms. Rhonda Mack addressed the Board with regard to recent action by the Virginia General Assembly which will fundamentally change the administration of Erosion and Sediment Control, Stormwater and Chesapeake Bay Preservation District programs (CBPD). The responsibility of administering these regulations will no longer belong to the Virginia Department of Conservation and Recreation (DCR), but will now be borne by localities.

Ms. Mack outlined the following requirements related to adoption of a local stormwater management program (VSMP):

- All counties, cities and towns that are MS4s must adopt a VSMP program. Surry County is included in this group.

- Surry County must adopt VSMP by July 1, 2014. The program will combine elements of the Erosion and Sediment Control Plan and the CBPD program to include a proposed local VSMP program ordinance, permit requirements, standards and specifications, policies and guidelines, requirements for plan review, inspection, and enforcement.
- An advance plan must be reviewed and approved by the Virginia DCR prior to April 1, 2013.

Following some discussion, Supervisor Blount made a motion that the Board authorize staff to move forward toward the adoption of the model template ordinance along with other noted program elements as presented and to submit these items for approval by the Virginia DCR by April 1, 2013 as required. The motion was seconded by Supervisor Holmes and passed with unanimous approval.

E. Request for Public Hearing

Ms. Rhonda Mack addressed the Board with regard to the status of the Surry County Land Development Ordinance/Zoning Ordinance. The proposed ordinance has been in the development stages following a 2008 Board action which authorized staff to retain consultants to review and propose comprehensive revisions to the current Land Development Ordinances. Following several community meetings designed to garner public participation and months long review of the draft document, the Surry County Planning Commission conducted a public hearing at their meeting on October 22, 2012. With the exception of regulations pertaining to accessory structures and work force development housing, the Commission endorsed the document as proposed by the Advisory Committee. Ms. Mack requested that the Board consider scheduling a public hearing during their December 6, 2012 meeting to hear public comments regarding the proposed Zoning Ordinance.

Supervisor Seward made a motion that the Board authorize a public hearing for the December 6, 2012 Board of Supervisors meeting for the purpose of hearing public comments regarding the proposed Land Development/Zoning Ordinance. Supervisor Wooden seconded the motion; Supervisors Lyttle, Blount, Wooden, Seward and Holmes voted affirmatively.

F. Proposed Contract, Utility Marking Vendor

Ms. Rhonda Mack presented the Board with a proposed contract for utility marking services between the County and Communication Construction Corporation (C3). She informed that a request for services was published on September 14, 2012 and that C3 was the

only respondent to this solicitation. Following review by the County's engineering consultant partner, ICON Technologies, Inc., and representatives of Powell Construction Management, it was determined that the proposed price listing is reasonable. The proposed contract is for one year and renewable for up to five years. Staff recommend execution of the proposed contract.

Supervisor Holmes made a motion that the Board authorize the execution of the proposed contract with C3 as the County's Utility Marking Vendor. The motion was seconded by Supervisor Seward and unanimously approved.

G. Appointment: Youth Services Citizen Board

Mr. Franklin informed the Board of the need for an appointment to the Youth Services Citizen Board, high school representative. He presented correspondence from Mrs. Rita Holmes, Surry County High School Principal, recommending Miss Jessica A. Randolph, a 10th grader, for re-appointment to the Youth Services Citizen Board.

Supervisor Blount made a motion that the Board reappoint Miss Randolph for a term beginning November 7, 2012 through November 6, 2013.. Supervisor Wooden seconded the motion; Supervisors Lyttle, Blount, Wooden, Seward and Holmes voted affirmatively.

H. Parks & Recreation Advisory Commission

Mr. Franklin reminded the Board that they had approved Resolution 2012-20 at their October 4, 2012 meeting which established the Parks and Recreation Advisory Commission to assist with the planning, promotion and development of recreational activities and facilities within Surry County. The Board also determined that Member-at-Large positions will be filled by students recommended by principals of L.P. Jackson Middle School and Surry County High School. Mr. Franklin asked Board members if they were prepared to make appointments to the P&R Advisory Commission representing the five election districts.

Supervisor Holmes made a motion that the Board appoint Mr. Elwood Wooden, Jr. as the Carsley District representative to the P&R Advisory Commission for a term from November 1, 2012 through October 31, 2013. The motion was seconded by Supervisor Seward and met with unanimous approval.

Supervisor Seward made a motion that the Board appoint Ms. Linda Warren, as recommended by Chairman Lyttle, to represent the Bacon's Castle District on the P&R Advisory Commission. The motion was seconded by Supervisor Holmes and unanimously approved.

I. Appointment - Highway Transportation Safety Commission

Mr. Franklin informed the Board of the need for an appointment to the Surry County Highway Transportation Safety Commission representing the Surry Election District. Supervisor Seward stated that he was not prepared with an appointment at this time.

UNFINISHED BUSINESS

A. Surry County Broadband Implementation Update

Mr. Franklin asked Ms. Rhonda Mack to provide the Board with an update on the Surry County Broadband Initiative. Ms. Mack informed the Board that the project is progressing satisfactorily, as the County is 60% through the contract period with only 25% of funds expended. Staff anticipates publishing a Request for Proposals (RFP) within the next week for local contractors to complete splicing and lateral connections to local business partners and community service facilities located in the project area.

Ms. Mack also informed that staff has requested that the Virginia Department of Housing and Community Development authorize an amendment to the grant agreement to permit on 250' +/- tower rather than three shorter structures as this modification would permit some additional advantages related to the relocation of public safety communication equipment and would not jeopardize wireless broadband service to the community. The proposed change is not expected to result in any additional costs.

Ms. Mack further provided updates with regard to partners in the broadband project including Buggs Island Telephone (BIT) and Mid Atlantic Broadband Cooperative (MBC). BIT remains unresponsive although it is clear that their project is behind schedule. The County's relationship with MBC remains in good standing. They report that fiber installation is complete while splicing and lateral connections remain to be completed as earlier discussed.

NEW BUSINESS

A. Applications for Sewer Service in Town of Dendron

Mr. Tyrone Franklin informed the Board of two pending applications requesting new hook-ups to the County's sewer system in the Town of Dendron. Following some discussion, Supervisor Blount made a motion that the Board accept the two applicants into the sewer system in the Town of Dendron. Supervisor Wooden seconded the motion; Supervisors Lyttle, Seward, Holmes, Blount and Wooden voted affirmatively.

CITIZENS COMMENTS

Mr. Mike Eggleston (Dendron District) addressed the Board with questions regarding the need for silt fencing at a construction project in Dendron near Cypress Swamp as well as matters related to stormwater management.

Mrs. Helen Eggleston (Dendron District) made comments related to the earlier discussions of Southside Regional Medical Center's COPN application and stormwater management.

Mr. Kevin Brackett (Dendron District) addressed the Board with regard to his previous Freedom of Information Act request stating that he did not feel he had received an appropriate response. Mr. Franklin invited Mr. Brackett to schedule an appointment to meet with him in the office to discuss further.

CLOSED SESSION

There being no comments from the public, Supervisor Holmes made a motion that the Board move to Closed Session to discuss a pending dispute with the Town of Surry, Virginia Code § 2.2-3711(A)(7). Supervisor Blount seconded the motion. Supervisors Seward, Holmes, Lyttle, Wooden and Blount voted in favor of the motion.

Supervisor Lyttle moved that the Board return to open session and certify by roll call that the closed session was concluded and that nothing had been discussed except the matter or matters permitted to be discussed under the provisions of the Virginia Freedom of Information Act. Supervisor Seward seconded the motion; all members present voted affirmatively.

Supervisor Seward made a motion that the Board settle with the Town of Surry on expenses associated with repairs made to the Town's sewer system in the vicinity of the Surry County Government Center. The motion was seconded by Supervisor Holmes and passed with unanimous approval.

ADJOURNMENT

Supervisor Blount made a motion that the Surry County Board of Supervisors continue their meeting to November 28, 2012 at 8:15am for the purpose of touring the Port of Virginia; Supervisor Wooden seconded the motion. Supervisors Lyttle, Holmes, Wooden, Blount and Seward voted affirmatively.



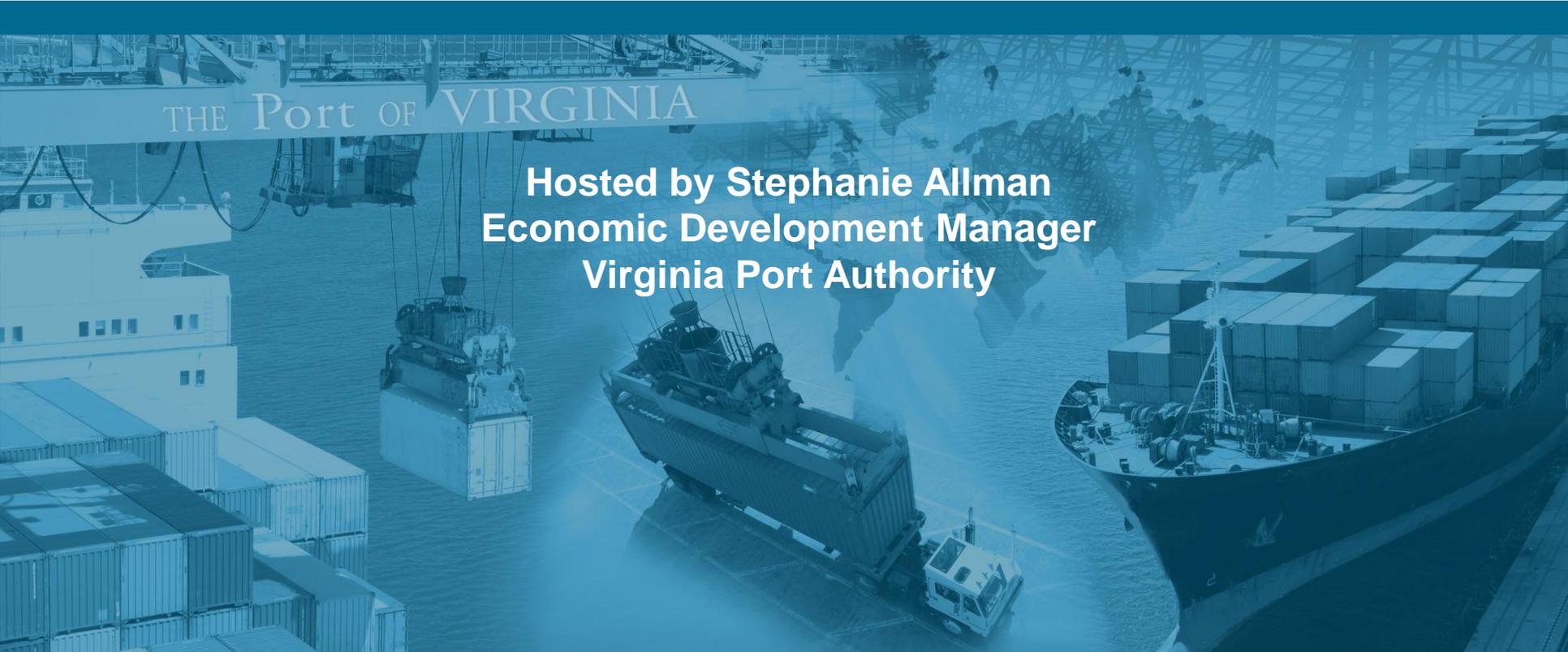
THE PORT OF
VIRGINIA

Tour

November 28, 2012

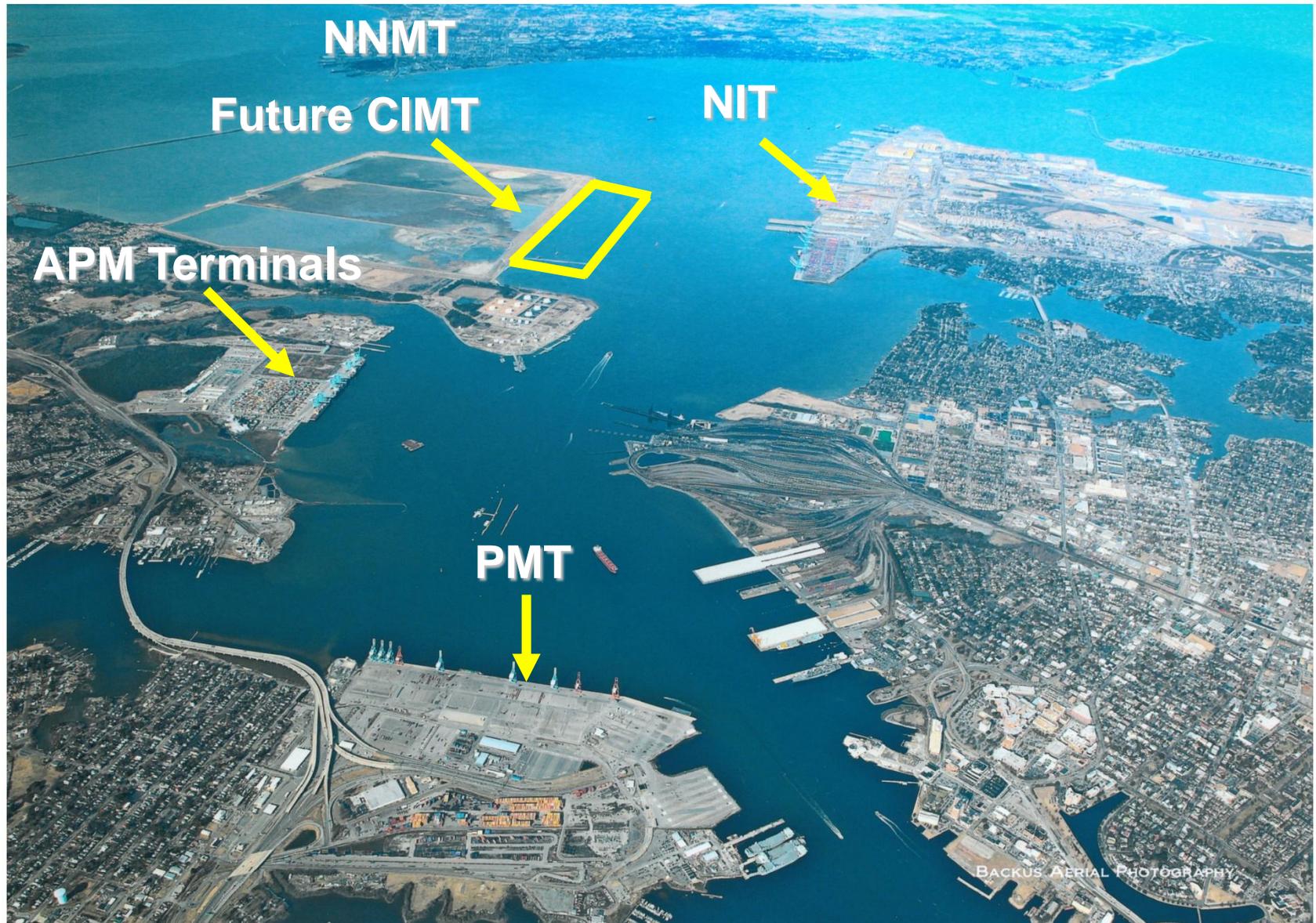
THE Port OF VIRGINIA

**Hosted by Stephanie Allman
Economic Development Manager
Virginia Port Authority**

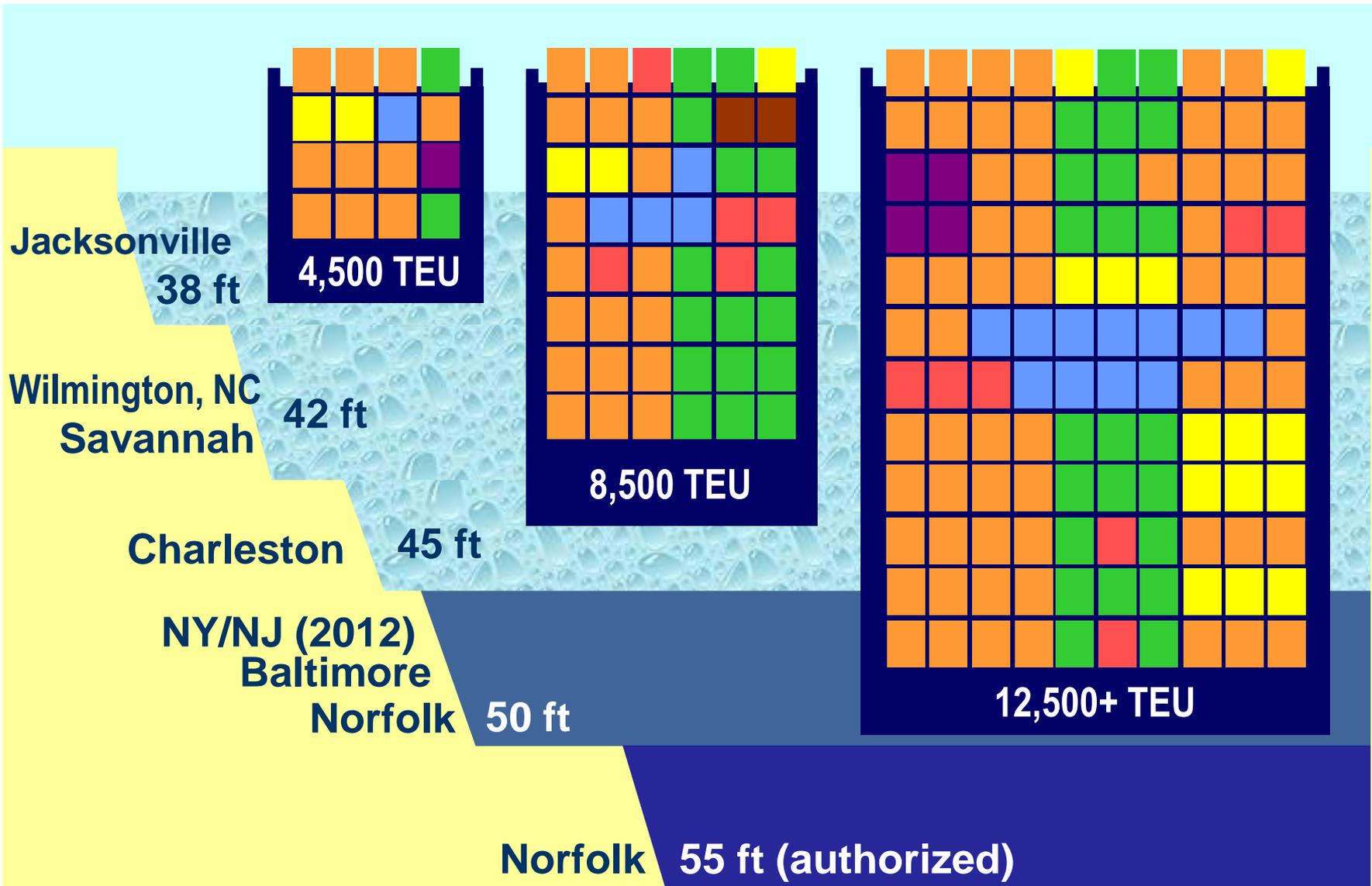


- The Port of Virginia is an economic engine for the Commonwealth
 - 343,000 port and port-related jobs statewide
 - \$41 billion in business revenues
 - \$1.2 billion in state and local taxes
 - Impetus for the New Route 460

Cargo Terminals Hampton Roads Harbor



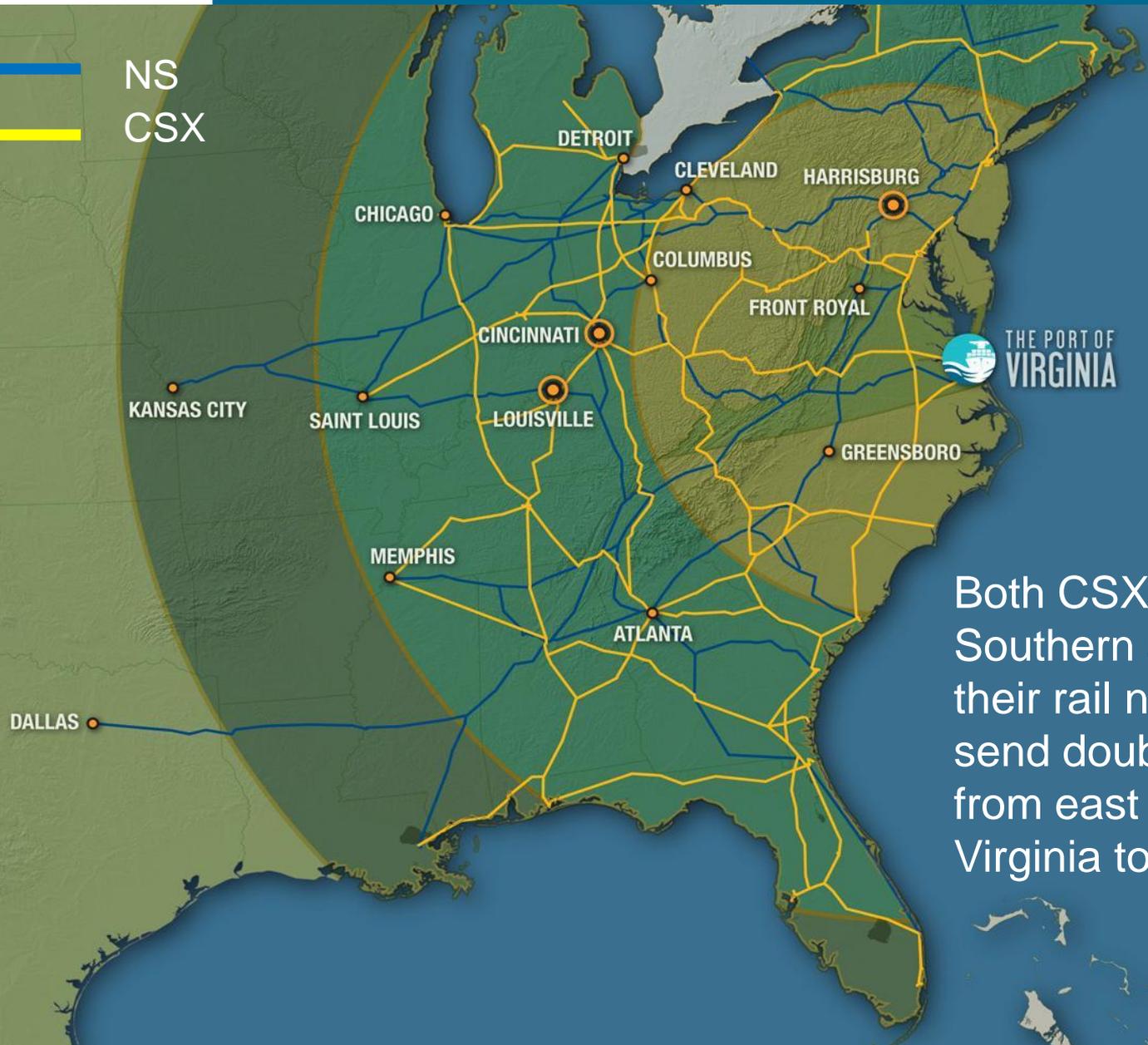
U.S. East Coast Competitive Ports Water Depth



Based on *fully loaded* vessel

Growth Track

— NS
— CSX



Both CSX and Norfolk Southern are upgrading their rail network in order to send double-stack trains from east coast ports like Virginia to the mid-west.

2011 Top Trading Partners

EXPORT	IMPORT
China	China
Germany	Germany
Netherlands	India
Belgium	Brazil
Brazil	Italy
India	Indonesia
United Kingdom	Belgium
Japan	Netherlands
Saudi Arabia	Spain
Indonesia	United Kingdom

2011 Top Commodities

EXPORT	IMPORT
Logs and Lumber	Furniture
Paper & Paperboard, incl waste	Auto Parts
Wood Pulp	Rubber, Natural
Grocery Products	Paper & Paperboard, incl waste
Soybeans and Products	Non-alcoholic Beverages
Mixed Metal Scrap	Woodenware
Pet & Animal Feeds	Tobacco
Meat	Granite
Poultry	Plastic Products
Automobiles	Newsprint



J.CREW



IMS:GEAR

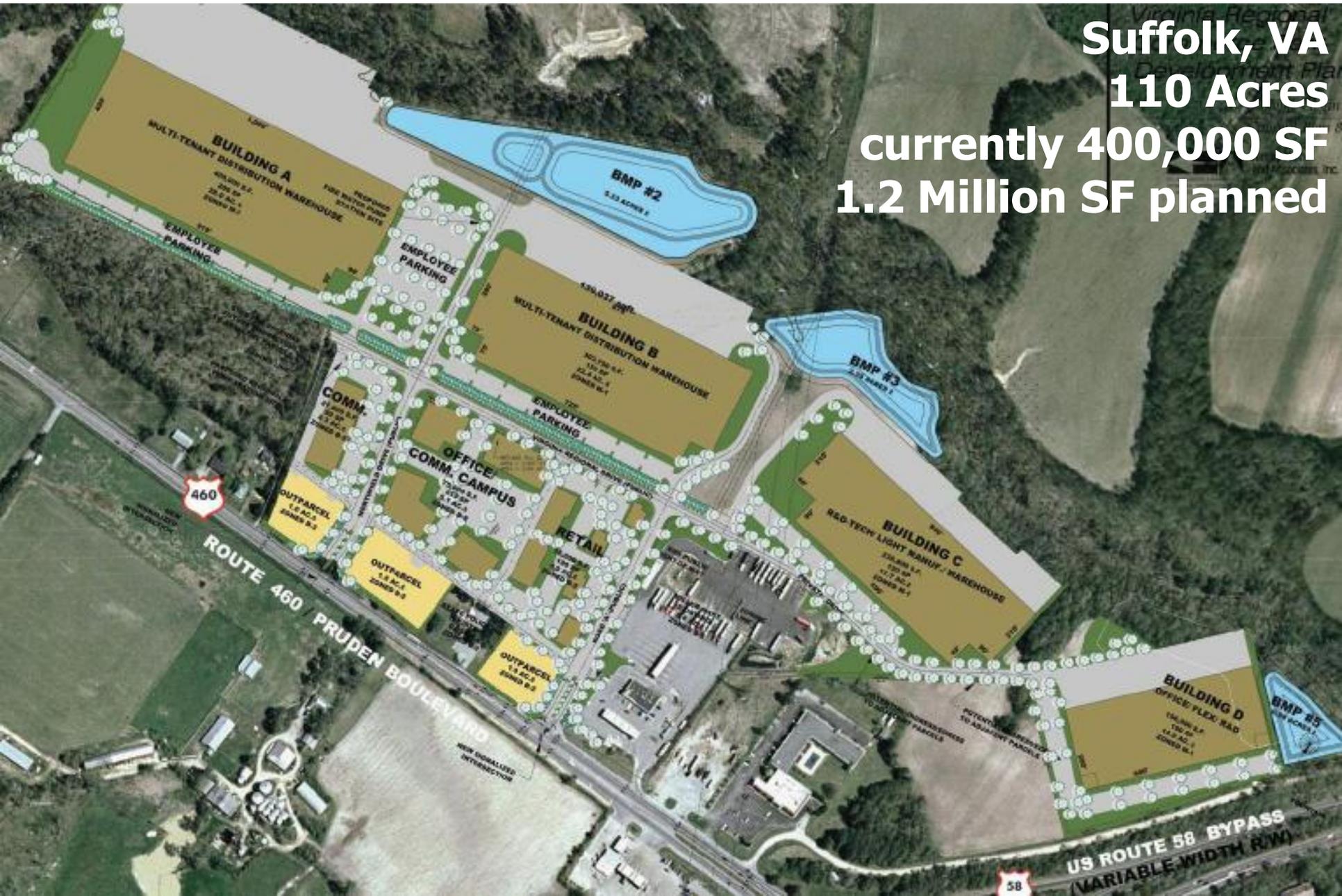


Honeywell



Virginia Regional Commerce Park

Suffolk, VA
110 Acres
currently 400,000 SF
1.2 Million SF planned



Cost Plus World Market



- **Barge and Rail Usage Tax Credit (Code of Virginia Section 58.1-439.12:09):**
Tax credit of \$25 per TEU or 16 tons of noncontainerized cargo for the usage of barge/rail to move cargo.
- **International Trade Facility Tax Credit (Code of Virginia Section 58.1-429.12:06):**
Income tax credit equal to \$3,500 for every employee hired by Virginia shippers that results from increased cargo of 10% moving through a Virginia Port Authority-operated cargo facility, OR 2% of any capital investment made by a Virginia shipper to facilitate increased cargo moving through the Port of Virginia.
- **Port Volume Increase Tax Credit (Code of Virginia Section 58.1-439.12.10):**
Tax credit of \$50 per TEU to Virginia taxpayers engaged in manufacturing goods or the distribution of manufactured goods via The Port of Virginia and have increased their port volume by 5% in a single year over their base year port cargo volume.
- **Port Economic and Infrastructure Development Zone**
- **Foreign Trade Zone #20**

Tentative Schedule

- 8:15 AM Depart Government Center
- 9:30 AM Tour of APMT
- Noon Leave Port
- 12:30 PM Virginia Regional Commerce Park
- 2PM Shirley T. Holland Intermodal Park.
- 4PM Arrive at Government Center